

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ALLEN ALEXANDER PARKS,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-19-1137-D
)	
SHERIFF P.D. TAYLOR, <i>et al.</i> ,)	
)	
Defendants.)	

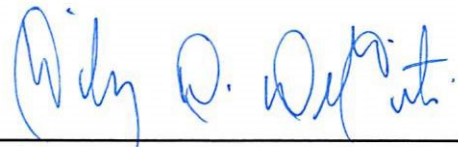
ORDER

On December 22, 2022, the Court issued an order finding that Plaintiff had waived any objection and adopting the magistrate judge's Report and Recommendation issued November 22, 2022. Later the same day, the Clerk received and filed Plaintiff's Notice of Change of Address [Doc. No. 115] and Plaintiff's Motion for Extension of Time to File an Objection [Doc. No. 116]. Plaintiff represents, and state court records confirm, that he has been granted relief from a prior conviction in Oklahoma County, Oklahoma, and within the period for filing an objection to the R&R, he was transferred from custody of the Oklahoma Department of Corrections to Oklahoma County for further proceedings in his criminal case. *See State v. Parks*, No. CF-2016-7670 (Nov. 14, 2022, Okla. Cnty., Okla.) (order granting application for post-conviction relief) (available on www.oscn.net). Under these circumstances, the Court finds that Plaintiff did not receive a sufficient opportunity to object to the R&R before it was adopted.

IT IS THEREFORE ORDERED that the Order of December 22, 2022 [Doc. No. 114] is **VACATED**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Extension of Time to File Objection to Magistrate's 11/22/22 Report and Recommendation [Doc. No. 116] is **GRANTED**, as set forth herein. The deadline for Plaintiff to object to the pending Report and Recommendation [Doc. No. 113] is extended to **January 13, 2023**. Failure to file a timely written objection will waive further review of the issues addressed in the R&R.

IT IS SO ORDERED this 28th day of December, 2022.



TIMOTHY D. DeGIUSTI
Chief United States District Judge